

4.7.2 Network Operations Center (NOC)

4.7.2.1 Requirement: Provide a 24x7x365 Network Operations Center that will provide constant monitoring and network management support services in all areas of network management as defined by the OSI Integrated Network Management Model and the technical requirements defined in this RFP document.

Response:

4.7.2.2 Requirement: Provide a 1-800 support number with a maximum hold time of 5 minutes.

Response:

4.7.2.3 Requirement: The Network Operations Center shall have a dedicated technical support team assigned to support the State's network with an understanding of the design and configuration of the State's network.

Response:

4.7.2.4 Requirement: This offering shall have defined problem severity definitions and escalation procedures that specify NOC maximum response time, NOC maximum repair time, and the escalation procedures for taking the problem from one level to another. The MNT offering shall have a defined post-mortem review process for major outages. Service Levels Agreements, as requested in Section 3.4.8, shall include fault/problem response specifications.

Response (refer to Offeror SLA response):

4.7.2.5 Requirement: Describe the proposed problem identification, isolation, and resolution process.

Response:

4.7.2.6 Describe the proposed problem escalation procedures that specifies NOC maximum response time, NOC maximum repair time, and those factors that will trigger problem escalation.

Response:

4.7.3 Fault Management

Fault/problem management is a process within network operations responsible for applying proven and consistent analytical approaches to network problem determination, isolation, and resolution. Its primary objective is to minimize network interruptions that would negatively impact service levels to the end user.

Proposals must include detail of how the contractor will interact and communicate with the Colorado Information Technology Services help desk to notify, track and resolve problems. Offeror shall supply the State a direct or web-based interface to Offeror owned monitoring and management tools for real-time reporting, tracking, status and updates. Access is required for both Telecommunications Services at 2452 W. 2nd Avenue and the CITS Help Desk at 690 Kipling.

4.7.3.1 Requirement: Describe how real-time interfacing to the CITS help desk will occur.

Response:

4.7.3.2 Requirement: The MNT outsourced network management service offering shall have a defined reporting system to track problem volumes, patterns and trends. It shall also have reporting capabilities to verify and analyze each month's service level agreement's conformance as proposed by the Offeror in Section 4.7.8.

Response:

4.7.3.3 Requirement: Provide monthly reporting capabilities and formats for fault management monitoring and conformance.

Response:

4.7.3.4 Requirement: Provide an organizational chart depicting your technical support infrastructure and specify the number of full-time and part-time resources that will be dedicated to the MNT wide area network infrastructure during all Shifts.

Response:

4.7.4 Performance Management

Network Capacity and Performance management must be a functional area within the Multi-Use Network service provider's overall network management service offering. Performance management is focused on capturing and analyzing network component utilization data to provide a basis for network optimization and capacity planning. Periodic performance reports will be provided to the State MNT staff on an ongoing basis. The Network Management process must include a methodology for continuous performance optimization as well as periodic review and upgrading of capacity to ensure peak demand availability. Offerors must provide a performance management capability that is proactive, not reactive. Elements of performance management desired by the State include:

Network Response Time
Throughput
Utilization
Analysis and Tuning
Capacity Planning
Reporting
Service Level Agreements

4.7.4.1 Requirement: Please describe how your service offerings will address the area of performance management.

Response:

4.7.5 Configuration Management

Configuration management is the process within Network Operations responsible for maintaining a database of technical information on all network components and site connections to the Multi-Use Network infrastructure. Moves, Adds, and Changes for Multi-Use Network site connections must be part of the overall Configuration Management service offering. The State MNT technical staff at Network Services shall act as consultants to all MNT participants, providing engineering on network usage and capabilities according to customer needs and requirements. The State MNT technical staff shall provide all specifications for configurations of and technologies used on the State owned Edge switches. The Offeror shall provide staff dedicated to the State network to support such Adds, Moves and Changes as specified by the State MNT technical staff for all MNT connections and configurations as well as outsourced management of State owned Edge switches and other devices.

In addition, configuration information is necessary to support the Fault/Problem management functions of the Network Operations Center during problem identification and resolution.

4.7.5.1 Requirement: The Offeror shall propose a method of communication and database maintenance to provide up-to-date management information to CITS.

Response:

4.7.5.2 Requirement: Describe how your service offerings will address the area of configuration management.

Response:

4.7.6 Security Management

Network Security management is the process within Network Operations that implements and enforces Multi-Use Network security policies and procedures to protect the State users of the network infrastructure from unauthorized access. The Multi-Use Network service provider's on-going security management service and practice shall include

internal security audits, verification testing, and monitoring to accommodate the security requirements of the Multi-Use Network.

Network Security Best Practices

4.7.6.1 Requirement: The Offeror shall implement and enforce industry best practice WAN infrastructure security policies and procedures to protect the MNT network and its users from unauthorized access.

Response:

4.7.6.2 Requirement: For the purposes of this RFP, the Offeror shall identify and detail in your response which industry security standards they will implement and how their implementation reflects what they understand to be industry best practices.

Response:

4.7.6.3 Requirement: The Offeror's response shall include a description of current offerings and plans for introduction of emerging security standards for enhanced EDI and e-commerce security requirements.

Response:

4.7.7 Administrative Management

Administrative/Cost Management is an ongoing function within Network Operations with two functions. The first is the monitoring and control of the cost of the network, for both capital and operating expenses. This will include a requirement for an integrated order processing and tracking system into the State's current systems and a web-based real time monitoring and tracking system with reporting capabilities. The Offeror shall supply a means to electronically provide invoices, in addition to hard copies, that can be processed by a State system. In the long term, the State desires to move toward such automation through EDI. The Offeror shall work with the State to define the requirements and establish the processing system. Regular and web-based real-time monitoring and reporting requirements--aggregate and client/site specific--will need to be mutually defined and established.

4.7.7.1 Requirement: Describe your order processing and tracking capabilities.

Response:

4.7.7.2 Requirement: Describe your capabilities for electronic billing and integration.

Response:

4.7.7.3 Requirement: Describe your current EDI capabilities and any technical format requirements

Response:

4.7.8 Service Level Agreements (SLAs)

Service level agreements and Offeror performance commitments are mandatory requirements in this RFP. The Offeror will be responsible for generating monthly network management reports as well as providing real time network management data to the State of Colorado Telecommunications Services Office. These will be used for the purpose of monitoring and verifying Offeror compliance with the service level agreements (SLAs) and commitments defined as a result of this RFP document.

4.7.8.1 Requirement: The Offeror must state all other SLA parameters/commitments they are willing to provide with the proposed solution. This should include such commitments as minor / major / critical failure Mean Time To Repair (MTTR) and all other pertinent SLA parameters. (M)

Response (refer to attachment):

4.7.8.2 Requirement: The Offeror must work closely with State Multi-Use Network management staff to develop and provide monthly network management reports for Fault Management, Performance Management, Configuration Management, and Security Management. These reports will be used to analyze and verify Offeror conformance with the resulting defined service level agreement requirements. (M)

Response:

Note: The following SLA definitions call for monitoring, reporting, and review processes for identification of failures and payment of penalties. To the extent that it is possible, the Offeror may propose to combine these oversight processes into a single monthly management review. The State therefore encourages Offerors to propose processes that provide such efficiencies.

4.7.8.3 Network Availability SLA

Network availability is the amount of time that the MNT wide area network service is actually available for use by an End Site location. A robust network infrastructure that incorporates redundancy at the core backbone and Level 1 SANAP and ANAP locations can help guarantee a high level of network availability. For purposes of this technical requirements definition, network availability values will be defined for each of the three levels of the MNT wide area network infrastructure's hierarchical topology. **Note: The Network Availability requirements will become part of the Service Level Agreement conditions the MNT Offeror must comply with in the Pro Forma Contract in Section 2 of this RFP document.**

4.7.8.3.1 Technical Requirements

The following shall define the monthly SLA commitment for network availability at different levels in the Multi-Use Network wide area infrastructure.

4.7.8.3.1.1 Level 1 - Requirement: Connectivity from the MNT core backbone network infrastructure to the following Super ANAPs (SANAPs):

690 Kipling, Lakewood, CO

1525 Sherman, Denver, CO

4201 E. Arkansas, Denver, CO

1200 Larimer St., Denver, CO

must have a minimum monthly network availability factor of 99.97% per calendar month per SANAP. (This network availability percentage will be greater if so specified by the Offeror.) The MNT service provider will be entitled to no greater than 2 hours of scheduled downtime for any these sites per quarter or 3-month period. Scheduled downtime must be coordinated with the MNT staff with at least 14-days advance notice prior to performing the downtime in order for it not to be calculated into the network availability factor. Scheduled downtime must occur during off-hours. (M)

4.7.8.3.1.2 Level 2 - Requirement: Connectivity from all other MNT ANAPs in the core backbone network infrastructure to the geographically dispersed state-owned points of high user demand must have a minimum monthly network availability factor of 99.86% (60 min) per ANAP per calendar month (This network availability percentage will be greater if so specified by the Offeror.) The MNT Service Provider will be entitled to no greater than 4 hours of scheduled downtime for each Level 2 ANAP per quarter or 3-month period. Scheduled downtime must be coordinated with the MNT staff with at least 14-days advance notice prior to performing the downtime in order for it not to be calculated into the network availability factor. Scheduled downtime must occur during off-hours. (M)

4.7.8.3.1.3 Level 3 – Requirement: Connectivity from the MNT ANAPs in the core backbone network infrastructure or State-owned ANAP locations to MNT End sites shall have a minimum monthly network availability factor of 99.72% per site, per month (2 hours)(This network availability percentage will be greater if so specified by the Offeror) The MNT Service Provider shall be entitled to no greater than 4 hours of scheduled downtime for each Level 3 End Site per quarter or 3-month period. Scheduled downtime must be coordinated with the MNT staff with at least 14-days advance notice prior to performing the downtime in order for it not to be calculated into the network availability factor. Scheduled downtime must be scheduled during off-hours.

4.7.8.3.1.4 Requirement: The above specified network availability factors must be calculated at the end of each calendar month according to State parameters (the percentages of availability shown above) and methods that the Offeror must propose in response to the Performance management monthly report requirements of this RFP. The Offeror must provide a brief description of their proposed methodology here (M):

4.8 Project Management (100 Points)

Project Management refers to those tasks and responsibilities which are specific to the implementation of the MNT and separate from the ongoing management and monitoring requirements above. The Offeror must respond to the following preliminary responsibility requirements with proposed processes. The Offeror also should describe any standard processes it already has developed for other client projects of similar scope which may be applied to the requirements of this RFP.

4.8.1 The following responsibilities are Project Management requirements of the Offeror. The Offeror shall describe in their RFP response how these responsibilities will be met:

4.8.1.1 Requirement: Identify project milestones/deliverables and provide a preliminary schedule for when these targets will be met/delivered.

Response (limit 2 pages; refer to attachment):

4.8.1.2 Requirement: Propose and describe the anticipated use of a Project Management tracking/planning software application, including in their proposal some methodology for online or shared access with MNT management.

Response (limit 1 page; refer to attachment):

4.8.1.3. Requirement: Propose a meeting/communication routine which identifies weekly, monthly, and on-demand options for implementation-specific management communication.

Response (limit 2 pages; refer to attachment):

4.8.1.4 Requirement: Submit Phase I implementation plan as part of RFP Response, containing detailed information on ANAP/SANAP sites to be completed in first year of implementation.

Response (limit 20 pages; refer to attachment):

4.8.1.5 Requirement: Submit proposed network acceptance test plans for end site implementations, ANAPs, and SANAPs.

Response (limit 2 pages; refer to attachment):

4.8.1.6 Requirement: Propose a mediation process for implementation project changes or variances.

Response (limit 1 page; refer to attachment):

4.8.1.7 Requirement: Agree to submit Phase II Plan at month 6 of implementation, containing detailed information on ANAP/SANAP sites to be completed in second year of implementation.

Response:

4.8.1.8 Requirement: Agree to submit Phase III Plan at month 18 of implementation, containing detailed information on ANAP sites to be completed in third and final year of implementation.

Response:

4.9 Cost (400 Points)

Evaluation - The expected cost to the State during the entire basic period, including all options, will be evaluated. Offerors are expected to develop cost schedules based on the service requirements and phased implementation requirements detailed in this RFP. Offeror should use the volumes and site addresses specified in Attachment 5.4. Offeror's should assume that telecommunications traffic volumes will be split evenly between UBR and CBR services. The cost information supplied must reflect the full cost to the State of solutions proposed by the Offeror. The Offeror's response must differentiate between tariffed and non-tariffed services. Proposed services should be presented in catalog format with pricing schedules by service. The cost schedules must reflect the Offeror's implementation strategy for completing service requirements to the requisite minimum number of ANAP/SANAP sites in each year of the planned implementation, but is not limited to that minimum. The cost proposal should be presented in the following format:

4.9.1 Requirement: The catalog of services offered for network services.

4.9.2 Requirement: The catalog of services offered for management and monitoring services including optional costs for management and monitoring of agency end-site equipment.

4.9.3 Requirement: Year 1,2 and 3 network services costs, including installation and any start-up costs for all State sites connecting to completed ANAPs.

4.9.4 Requirement: Network Services Annual recurring costs - ongoing operating costs after the completion of the implementation (years 4-10).

4.9.5 Requirement: Year 1,2 and 3 management and monitoring costs, including consoles, software implementation, and startup costs for remote monitoring.

4.9.6 Requirement: Annual recurring costs - ongoing operating costs for network management and monitoring after the completion of the implementation (years 4-10).

4.9.7 Requirement: Summary costs - a summary of the total costs by year (4.9.3 through 4.9.6) of operating the MNT over the ten years of the contract (five year basic period, plus five one year extensions) including a total of all years.

ATTACHMENT 6



The State of Colorado Homepage

Office of the Governor - Press Office

FOR RELEASE:
Monday, April 17, 2000

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OWENS ANNOUNCES \$37 MILLION STATE CONTRACT FOR U S WEST TO BUILD HIGH-SPEED COMPUTER NETWORK LINKING ALL OF COLORADO

DENVER – Governor Bill Owens announced today at a news conference that the State of Colorado has awarded U S WEST a \$37 million, ten-year contract to build a digital voice, video and data network that will provide high-speed links to state offices and schools in all 64 counties across Colorado.

"This new statewide network will help Colorado bridge the digital divide between rural and urban communities," said Gov. Owens. "It will be a key tool in helping to foster economic development and accelerate Colorado's high-tech growth."

The Multi-Use Network (MNT) is the fiber-optic backbone connecting all state government offices and educational institutions across the state. Through this public/private partnership, many rural communities will have access, for the first time, to advanced, high-speed broadband services for a variety of multi-use applications including distance learning, tele-medicine, electronic commerce, Internet access, and tele-working or commuting.

Colorado residents will be able to use the MNT backbone network to access applications that might include a parent being able to check online their child's homework assignments or a patient conferring with their doctor via the Internet.

The business-base in rural Colorado has not been developed to the point where it can support high-speed, broadband digital services. The MNT will help to close this gap between rural and urban Colorado. U S WEST, Cisco Systems and independent telco partners CenturyTel, Phillips County Telephone Company, and Eastern Slope Telephone Company will invest more than \$60 million to build out the state-wide network. The MNT will consolidate existing, but disparate, networks into one seamless backbone network to provide an array of advanced telecommunications services.

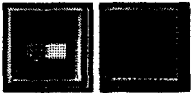
"We are committed along with our partners to helping Governor Owens realize his vision of making Colorado a thriving technology capital – not just of the West, but of the world," said Sue Parks, vice president and general manager of U S WEST's Large Business and Government Solutions group.

"Cisco believes the MNT will place Colorado at the forefront of states in providing Internet access that

will change the way Coloradans work, live, play, and learn," said Dave O'Callaghan, director of operations for Cisco Systems.

Last year, the Governor signed into law legislation (Beanpole bill) that provides approximately \$4.8 million dollars for the aggregation of rural telecommunications purchases by state and local governments and non-profit organizations to encourage private sector providers to extend modern telecommunications services to under-served areas of Colorado. The MNT serves as the backbone to this legislation.

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governorowens@state.co.us

last modified 4-17-00

ATTACHMENT 7

USWEST**about U S WEST**[site map](#) | [contact us](#) | [search](#)**about U S WEST****news & information****news releases****company overview****executive speeches****U S WEST & Qwest merger****industry analyst news****downloadable images****e-mail news services****U S WEST web sites****media relations contacts****NEWS RELEASE****April 3, 2000****U S WEST to Build Colorado Multi-Use High-Speed Network**

- U S WEST Selected by State to Build \$37 Million Digital Voice, Video and Data Network that Will Provide High-Speed Links to State Offices and Schools in All 64 Counties Across Colorado -

DENVER - U S WEST today announced that the State of Colorado has confirmed its intent to award a \$37 million contract to the company to complete and consolidate the state's high-speed data capabilities into a seamless fiber-optic backbone network connecting all state government offices and educational institutions across the state.

Through this unique ten-year public/private partnership, many communities as well as state offices across Colorado will have access for the first time to advanced high-speed voice, video, data and Internet services for a variety of multi-use applications - including distance learning, telemedicine, electronic commerce and tele-working.

U S WEST, Cisco Systems and independent telco partners will invest more than \$60 million to build out the state-wide network. The multi-use digital network (MNT) will consolidate existing, but disparate, networks into one seamless backbone network to provide an array of additional advanced services, including DSL, Frame-Relay and ATM high-speed data access, and advanced Internet Protocol services.

"This new state-wide network will help us bridge the digital divide between rural and urban communities. It will provide affordable access to high-speed Internet, voice and video services for citizens across the State. And it will be a key tool in helping to foster economic development and accelerate Colorado's high-tech growth," said Governor Bill Owens.

"We are committed to helping Governor Owens realize his vision of making Colorado a thriving technology capital - not

just of the West, but of the world," said Jackie Slate, U S WEST's strategic account manager for Colorado state government and higher education. "We are proud to be able to offer the state not just a competitive bid, but we think the best bid for this network, in terms of both price and quality of service. U S WEST's experience in implementing statewide networks like the MNT is second to none."

In addition to the Colorado multi-use network, U S WEST has also won similar contracts to design and install statewide networks in Arizona, South Dakota and Wyoming.

About U S WEST

U S WEST (NYSE: USW) is a leading broadband and communications service provider, with more than \$13 billion in annual revenues. U S WEST leads the industry in deploying next-generation broadband ADSL and VDSL Internet access and data/video services; offers the nation's first and only 'one-number' advanced wireless service that integrates customers' home or business phones with their wireless PCS; and provides multimedia advertising services, including Internet and print directories. The company has nearly 2 million miles of deployed fiber in the U.S., provides local exchange services to more than 25 million customers in 14 states, and provides wireless services to more than 500,000 customers and data services to more than 800,000 customers nationally.

U S WEST is merging with Qwest Communications International Inc. The combination, to be named Qwest Communications International Inc., will create a communications powerhouse with a market capitalization of more than \$70 billion, headquartered in Denver and employing about 64,000 people worldwide. U S WEST and Qwest will unite the nation's most innovative local, wireless and broadband communications firm with one of the world's most advanced fiber-optic networks and broadband Internet providers. Together, the two firms will have more than 3 million miles of deployed fiber in the U.S. and worldwide, 29 million customers and a local network that is 99.2 percent digitally switched. For more information about U S WEST, go to <http://www.uswest.com>.

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For media inquiries, please contact:

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ATTACHMENT 8

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re Petition of)
)
AMIGO.NET for Declaratory Ruling Regarding)
the Effect of Sections 253 and 257 of the Telecommunications)
Act of 1996 on an Agreement for Multi-Use Network:)
Infrastructure Development, Statewide Telecommunications)
Service Aggregation, and Network Management)

To: The Commission

Affidavit of Ken Swinehart

1. My name is Ken Swinehart and I am the CEO of Amigo.Net.
2. I hold a Bachelor of Science Degree in Electrical Engineering from Colorado State University. After graduating from college I went to work for Public Service Company of Colorado (PSCo) in its telecommunication department. I worked for PSCo for four years from 1985 to 1989. PSCo is a power and gas utility with operations that covered at that time the whole State of Colorado. My job responsibilities included the design of mobile and microwave radio transmission systems. I worked on telecommunication projects that spanned the State of Colorado.
3. In 1993 a partner and I received a Forest Service permit to construct a telecommunication site on Bristol Head Mountain located near Creede, Colorado. This site provides lease space for the Mineral County Sheriff Department, a radio station and other lessees. My partner also owns and manages other telecommunication sites in the South Central part of the State of Colorado.
4. In 1995 I founded an Internet company that is now known as Amigo.Net. At present, Amigo.Net provides Internet service to over 4000 customers primarily in rural areas of the State of Colorado. The headquarters for Amigo.Net is in Alamosa, Colorado, a town with a population of 9,000. Amigo.Net employs 12 people to operate its statewide Internet service. All the employees at Amigo.Net were either born in rural Colorado or went to school in rural Colorado.
5. In 1996, Amigo.Net was the first Internet provider to deploy Digital Subscriber Line (DSL) technology in the State of Colorado and was one of the first ISPs in the Nation to deploy DSL technology. Amigo.Net also leases telecommunication sites on various mountaintops in its service territory to deploy wireless technology to provide Internet service to its more rural customers. Amigo.Net uses microwave links in various locations for its backbone connectivity between its telecommunication sites. Amigo.Net also uses

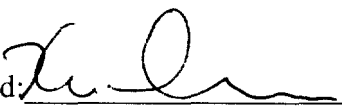
US West's and ICG telecommunication facilities to connect its telecommunication sites together.

6. In 1997, Amigo.Net received a grant from the Colorado Advanced Technology Institute (CATI) to provide Internet service to public and private offices in Meeker, Colorado. The purpose of the grant was to show that DSL could be cost effective to deploy in rural areas. A report on the findings of the grant was submitted to CATI.
7. Over the past two years Amigo.Net has deployed DSL of high-speed wireless Internet service to the following rural cities and towns in the State of Colorado: Monte Vista, Alamosa, Del Norte, Saguache, Center, Antonito, La Jara, Sanford, Walsenburg, Craig, Meeker, Hayden, Rangely, Leadville, Pueblo and Salida. Amigo.Net plans to expand DSL and wireless technology to additional small towns and cities in rural Colorado. Many of these locations are county seats.
8. In October of 1999, the State of Colorado produced a Request for Proposal ("hereafter" RFP) to connect all the county seats into a State-wide network called the multiple use network (MNT or MUN). This was to aggregate all the State of Colorado circuits onto one common infrastructure based upon an ATM protocol. Once this MNT was constructed the State vision was to aggregate all local government and school organizations through another State funded program called the Beanpole fund. Businesses could also get services from the winning bidder via the MNT, however they would receive no subsidy from the state as was available to local government and school organizations.
9. The RFP specifically mandated that Colorado award a single vendor a contract to construct the MNT. I was present at an April 6th, 2000 meeting in Alamosa where Colorado Governor Owens stated this was necessary because if there were multiple vendors the system would take 10 years to construct. Also, Governor Owens stated that the winning vendor would have to take the rural areas, which he stated (and incorrectly assumed) were unprofitable in order to get the profitable urban areas.
10. The State never held hearings or fact-finding missions in rural areas to determine what the state of technology was in rural areas of the State of Colorado. As a result, the State made its decision without a clear understanding of the technology available in rural areas or what companies like Amigo.Net could provide telecommunication services or were already providing services the MNT required.
11. The State's reasoning is not consistent with economic and technological reality. First, Amigo.Net and other companies are providing DSL and ATM technology in rural areas of the State. Some of these other companies are Montrose Internet that provides service in Montrose and Grand Junction, Frontier Internet in Durango, and Sopris.Net in Glenwood Springs. Also, New Edge Networks is a DSL only provider that is putting DSL equipment in rural exchanges. Amigo.Net and these other companies are providing these services without a subsidy.

by implicit means by raising the rates charged in urban areas through use of uniform statewide rates. This effectively lowers the prices in rural areas below actual cost, thereby competitively disadvantaging small firms already providing the service requested by the State but who cannot offset below cost prices to rural customers with higher rates made possible by statewide averaging. In addition, this will provide a barrier of entry for any telecommunication firm that wants to provide these types of services in the future in rural Colorado.

13. In March of 2000, the State of Colorado selected US West as the winning bidder on the RFP. In April the State of Colorado and US West had a public meeting to discuss the deployment of the MNT. At this meeting the time frame for connecting all the county seats to the statewide network was disclosed. In many counties, including Alamosa County, Saguache County, Chaffee County, Mineral County, Rio Grande County, Hinsdale County and Lake County, the proposed date for completion of the project was the end of the year 2002. Amigo.Net provides service to all these counties and in Chaffee, Alamosa, Lake and Rio Grande Counties is also providing DSL technology. I estimate, based on the time it took Amigo.Net to deploy its services previously, that Amigo.Net could have connected all the counties listed above by the summer of 2001 – 1½ years sooner than the projections by US West. In most of the counties Amigo.Net could have completed connection to a statewide network in only a few months. The assumption that it would take ten years to provide service to these locations without using US West is incorrect and misleading.
14. Amigo.Net has radio site facilities that covers by line of sight at least eight county seats. Many of the State of Colorado locations are already connected to Amigo.Net's DSL equipment, such as the Alamosa Court House and the District Attorney for the San Luis Valley. Further, the State of Colorado locations in Alamosa could be connected to Amigo.Net's DSL equipment and be operational within a month of an order. The State of Colorado could utilize Amigo.Net's and other providers network and substantially reduce the cost and time frame for building a State-wide network.
15. Amigo.Net's pricing of advanced telecommunications services is also comparable to pricing in urban areas. Amigo.Net provides a DSL circuit with Internet access for \$80 per month. Covad and New Edge Networks have pricing plans that start around \$50 without Internet access. With Internet access the price is in the range of \$80 to \$110. If Amigo.Net could aggregate more traffic, which is precisely what the ANAP concept contemplates, it could even provide high-speed Internet service for less than \$80 per month. Amigo.Net also provides T-1 service to rural areas. The cost is comparable to or less than the cost for a T1 from US West. Amigo.Net sells a local loop T1 in Alamosa for \$200, where USWest sells that same service for \$210 per month. Amigo.Net's equipment provides frame relay service in its geographical area. From a technical standpoint interconnection with US West would be easy to accomplish to extend Amigo.Net's frame relay service

16. In discussions with Mr. Mike Borrego, Telecommunication Manager for the State of Colorado, he made mention that high-speed Internet access would not be affordable to provide unless there was flat-rate pricing for the whole state. And, at a pre-bid conference in January 2000 Mr. Clayton Powers, Director of the ANAP project, stated that the State of Colorado would prefer flat-rate pricing. It is clear that the State of Colorado is encouraging subsidization of rural telecommunication services. Accordingly, it shouldn't be any surprise that US West, as the winning bidder, proposes flat rate pricing.
17. There is no reason to conclude that one vendor will provide ANAPs at a less cost than multiple vendors, bidding to build ANAPs separately. Nor is there reason to believe that the state could not have coordinated its access to services statewide except through one vendor.
18. The only issue that really prevents smaller firms from building out an ANAP network as contemplated in the RFP is the lack of access to capital. Amigo.Net and other small firms can construct and maintain anywhere from one to probably 10 sites, but not all the sites as required by the State of Colorado. Even if Amigo.Net and other small firms partnered with US West this would eliminate competition and would best be described as bid rigging and price fixing. The only reasonable way to bid out the ANAP project would be to regionalize or bid out each ANAP separately.
19. Construction of an ANAP involves installation of equipment that will be basically the same at each ANAP location. There is no inherent cost advantage enjoyed by a party constructing 70 ANAPs over a party building a single ANAP since each ANAP is geographically separate. In fact it will probably cost more for one vendor to build the network from a labor standpoint. Small firms already have technicians that are trained in DSL and ATM technologies living in the county that the ANAP will be deployed. US West will have to bring in technicians or train their existing technicians on DSL and ATM deployment. Also, US West pays union scale wages were small firms don't have this cost constraint. In sum, small firms will be faster in deployment and have less labor costs than big firms, such as US West. As important, if there is only one ANAP provider, it diminishes the likelihood of price competition in the provision of ANAP services. Allowing multiple providers also provides the state with a basis of comparison on price and service among providers – a competitive benefit lost under Colorado's approach.

Signed: 
Ken Swinehart

STATE OF COLORADO

County of Alamosa

The foregoing instrument was acknowledged before me this 26TH day of June, 2000,
by Ken Swinehart.

My Commission Expires: 9-24-2000

Witness my hand and official seal.



624 River St. Antonio, CO 78120
Address:

ATTACHMENT 9

US West MNT RFP Pricing

ISDN PRI Tariff Pricing

ISDN BRI Tariff Pricing

Frame Relay Tariff Pricing

ATM Cell Relay Tariff Pricing

Point to Point Circuit Tariff Pricing

Network Management/Monitoring Services Pricing

MNT Average Costs

MNT Edge Site Pricing -- Years 1-3

MNT Edge Site Pricing -- Years 4-10

Network Management and Monitoring --Years 4-10

DSL MegaCentral Pricing Elements

DSL MegaCentral Bandwidth Pricing

DSL MegaSubscriber Pricing

DSL Service Availability

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**ISDN PRI
5 YR TARIFF PRICING MATRIX
(ISDN is not available with ATM Interworking)**

RATE ELEMENT (note 1)	INSTALLATION CHARGE	MONTHLY CHARGE
T1 Facility	\$0.00	\$110.00
Service Config	\$0.00	\$292.00
2-way Trunk/DID	\$0.00	\$1,276.50
TOTAL	\$0.00	\$1,678.50
T1 Facility	\$0.00	\$109.98
Service Config	\$0.00	\$292.00
2-way Trunk/DID	\$0.00	\$1,100.00
TOTAL	\$0.00	\$1,501.98
T1 Facility	\$900.00	\$110.00
Service Config	\$1,025.00	\$292.00
23 Two Way B-Chan	\$1,265.00	\$583.00
TOTAL	\$3,190.00	\$985.00
T1 Facility	\$900.00	\$110.00
Service Config	\$1,025.00	\$292.00
24 Two Way B-Chan	\$1,340.00	\$608.00
TOTAL	\$3,265.00	\$1,010.00
NOTES		
<p>Note 1: Adams, Arapahoe, Boulder, Broomfield, Jefferson, Mesa, Pueblo, and Weld ANAPS offer ISDN PRI Service if Local Loop Qualifies.</p> <p>Notes: B channel monthly rates are not usage sensitive. Additional charges may apply for federal, state and/or city tax. Monthly rates and NonRecurring charges detailed above do not include CPE. Prices are subject to change. Data only PRS tariff is planned but pending.</p> <p>Uniform Access Service ISDN PRS Uniform Access Service (UAS) provides one number route indexing for mainly Remote LAN Access applications, but can be applicable whenever the customer doesn't have a need for full blown D.I.D. service. The new PRS with Uniform Access Service has 3 elements. The T-1 Service Configuration and the one number route indexing and the trunk are combined into the third. The UAS rate of \$1100.00 recurring and \$1200.00 for the non-recurring will apply whether the customer uses one channel or 23. The price for this new service will help discount the current PRS tariff prices approximately 25% on the recurring and 20% on the non-recurring.</p> <p>Standard Features Delivery of incoming calling line identification (where SS7 and US WEST CLASS features are deployed support of circuit switched data of the B channel. Up to eight PRS facilities can be supported by one D channel Circuit switched data only PRS (limited availability)</p>		